

Application No: 10/015,708

RECEIVED Attorney's Docket No: US 010602
CENTRAL FAX CENTER**AUG 08 2006****REMARKS/ARGUMENTS**

Applicant acknowledges receipt of the Office Action dated 6/7/2006. Claims 1-23 were pending in the application; claims 1, 4-18 and 21-23 are presented for reconsideration and further examination in view of the following remarks and arguments.

By this Response and Amendment claims 1, 4, 5, 9, 10 and 18 have been amended; claims 2, 3, 19 and 20 have been canceled; and the rejections of claims 1-23 under U.S.C. § 103(a) are respectfully traversed.

Independent claim 1 has been amended to incorporate subject matter previously recited in dependent claims 2 and 3; and independent claim 18 has been amended to incorporate subject matter previously recited in dependent claims 19 and 20.

Entry of the amendments is proper under 37 CFR § 1.116 since the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issues requiring further search and/or consideration; (c) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (d) place the application in better form for appeal, should an appeal be necessary. The subject matter of previously pending dependent claims is incorporated into independent claims without change. No new matter is added. Entry of the amendments is thus respectfully requested.

Rejections under 35 U.S.C. §103

Claims 1, 2, 4-7, 9-12, 14-19 and 21-23 were rejected under 35 U.S.C. §103(a) as allegedly obvious over Slaughter et al. (US Patent 6,643,650), hereinafter noted "Slaughter", in view of UDDI Technical White Paper, hereinafter noted "UDDI-WP", and Daniels-Barnes et al. (US Patent 6,571,277), hereinafter noted "Daniels-Barnes."

Claims 3, 8, 13 and 20 were rejected under 35 U.S.C. §103(a) as obvious over Slaughter in view of UDDI-WP and Daniels-Barnes, and in further view of Bisdikian et al. (US Patent 5,974,406), hereinafter noted "Bisdikian."

Applicant respectfully traverses these rejections.

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To establish a *prima facie* case of obviousness, three basic criteria must be met.

First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings.

Second, there must be a reasonable expectation of success.

Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. In *re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP § 2143-§2143.03 for decisions pertinent to each of these criteria.

Claims 1 and 18 are directed, respectively, to a method and a system for obtaining service information over the Internet, the system comprising a UDDI server. As correctly conceded by the Office Action, Slaughter does not disclose, teach or suggest "the server is a UDDI server," as recited in claims 1 and 18, and the Examiner relies upon a second reference, UDDI-WP, for this subject matter.

Claims 1 and 18 also recite the step of, or means for, subsequently searching the updated database in response to the initial search determining that the service is either not found in the database, or is found but is not available. As is correctly conceded by the Office Action, Slaughter does not disclose, teach or suggest that subject matter either. Thus, the Office Action relies upon a third reference, Daniels-Barnes, for that particular subject matter.

Claims 1 and 18 also recite the steps of, or means for, notifying the user by e-mail of the results of the initial and the subsequent searches. As is correctly conceded by the Office Action, the combination of Slaughter, UDDI-WP and Daniels-Barnes does not disclose, teach or suggest that subject matter. Thus, the Office Action relies upon yet another, fourth reference, Bisdikian, with respect thereto.

Applicant respectfully submits that there is no suggestion or motivation, either in the four applied references themselves or in the knowledge generally available to one of ordinary skill in the art at the time the application was filed, to modify or to combine these four references by picking, choosing and combining various parts of these four references, to the exclusion of other parts of the

four references. Doing so requires a significantly precise motivation that is not found in any of the cited references. Rather the only motivation to arrive at the claimed combination by picking and choosing the various parts of the four applied references to the exclusion of the other parts of those references is found in the Applicant's disclosure itself.

It is therefore submitted that claim 1, and consequently also claim 18, which is directed to a system comprising means adapted to perform the method recited in claim 1, are not obvious over the cited art references.

Accordingly, reconsideration and withdrawal of their rejection is respectfully requested.

It is submitted that claims 4-17 are also allowable because they ultimately depend from claim 1, which is allowable over the cited art references based upon the above arguments. Accordingly, reconsideration and withdrawal of their rejections is respectfully requested.

It is also submitted that claims 21-23 are also allowable because they ultimately depend from claim 18, which is allowable over the cited art references based upon the above arguments. Accordingly, reconsideration and withdrawal of their rejections is respectfully requested.

While we believe that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner telephone the correspondence attorney listed below in order to expeditiously resolve any outstanding issues.

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In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted,
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